

Appl. No. 10/710,337  
Response dated 7/2/2007  
Reply to Office Action of 2/1/2007

### **AMENDMENTS TO CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims**

1. (currently amended) A method of determining the palatability of a food, food stuff or veterinary biologic to an animal comprising:
  - obtaining at least one animal; and,
  - administering a discrimination learning procedure to an animal selected from said at least one animal wherein said discrimination learning procedure comprises:
    - using a food, food stuff or veterinary biologic[. . .]; and,
    - utilizing at least one stimulus preference test wherein said stimulus preference test comprises:
      - (a) presenting said animal with at least one distinct stimulus wherein each of said at least one distinct stimulus is associated with an identical reward; and,
      - (b) permitting said animal to choose from said at least one distinct stimulus, wherein choice of any one stimulus results in said identical reward.
2. (currently amended) The method of claim 1 ~~further comprising utilizing at least one wherein said stimulus preference test comprising further comprises:~~
  - (a) ~~presenting said animal with at least one distinct stimulus wherein each of said at least one distinct stimulus is associated with an identical reward;~~
  - (b) ~~permitting said animal to choose from said at least one distinct stimulus, wherein choice of any one stimulus results in said identical reward;~~

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(c) recording a preferred stimulus of said animal wherein said preferred stimulus is most frequently chosen by said animal or chosen at a greater response rate or chosen first; and,

(d) recording [[a]] at least one non-preferred stimulus of said animal wherein said non-preferred stimulus is [[least]] not most frequently chosen by said animal or chosen at a slower response rate or chosen secondly or later.

3. (currently amended) The method of claim 1 wherein said discrimination learning procedure further comprising comprises utilizing at least one association session comprising:

(a) presenting said animal with at least one non-preferred stimulus associated with said food, food stuff or veterinary biologic, wherein said non-preferred stimulus is not most frequently chosen by said animal or chosen at a slower rate or chosen secondly or later from said preference test; and,

(b) permitting said animal to choose from said at least one said non-preferred stimulus wherein any choice results in a reward of said food, food stuff or veterinary biologic associated with said any choice.

4. (currently amended) The method of claim [[1]] 3 wherein said administering said discrimination learning procedure further comprises utilizing at least one discrimination training comprising:

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- (a) presenting said animal with [[a]] said preferred stimulus and a plurality of said non-preferred stimuli;
- (b) permitting said animal to choose at least one stimulus selected from said preferred stimulus and said plurality of non-preferred stimuli wherein choice of any one of said non-preferred stimuli results in a reward of said food, food stuff or veterinary biologic associated with a corresponding said any one of said non-preferred stimulus and choice of a preferred stimulus results in no reward;
- (c) recording said at least one stimulus chosen by said animal; and,
- (d) repeating steps (a) through (c) to obtain discrimination conditioning of said animal.

5. (original) The method of claim 4 further comprising establishing a preferred food, foodstuff, or veterinary biologic of said animal as said food, foodstuff, or veterinary biologic associated with a stimulus most frequently chosen or chosen most rapidly or chosen first or an association learned most rapidly by said animal.

6. (original) The method of claim 5 further comprising establishing a rank order of preferred food, foodstuff, or veterinary biologic of said animal as an ordered list of decreasing preference of said food, foodstuff, or veterinary biologic associated with a stimulus most frequently chosen or chosen most rapidly or chosen first or an association learned most rapidly by said animal.

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7. (original) The method of claim 4 further comprising establishing a non-preferred food, foodstuff, or veterinary biologic of said animal as said food, food stuff or veterinary biologic associated with a stimulus least frequently chosen or chosen more slowly or chosen following a stimulus associated with said preferred food, food stuff or veterinary biologic or an association learned less rapidly.

8. (original) The method of claim 7 further comprising establishing a rank order of non-preferred food, foodstuff, or veterinary biologic of said animal as an ordered list of increasing preference of said food, food stuff or veterinary biologic associated with a stimulus least frequently chosen or chosen more slowly or chosen following a stimulus associated with said preferred food, food stuff or veterinary biologic or an association learned less rapidly.

9. (currently amended) The method of claim 4 ~~further comprising wherein said discrimination learning procedure further comprises~~ utilizing a stabilization phase wherein steps (a) to (d) ~~of said discrimination training~~ are repeated at least once in one session for at least one consecutive sessions.

10. (currently amended) The method of claim 9 ~~+ further comprising wherein said discrimination learning procedure further comprises~~ utilizing a reversal phase comprising:

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- (a) presenting said animal with a preferred stimulus and a plurality of non-preferred stimuli;
- (b) permitting said animal to choose a stimulus wherein choice of a non-preferred stimulus previously associated with [[said]] a preferred food, food stuff or veterinary biologic results in no reward and choice of said preferred stimulus results in a reward of said food, a food stuff, or veterinary biologic not previously associated with said preferred stimulus;
- (c) recording a selected stimulus chosen by said animal or a latency to respond or an order of responses; and,
- (d) repeating steps (a) through (c) to obtain discrimination conditioning of said animal.

11. (original) The method of claim 10 further comprising establishing a preferred food, foodstuff, or veterinary biologic of said animal as said food, foodstuff, or veterinary biologic associated with a stimulus most frequently chosen by said animal or chosen most rapidly or chosen first or an association learned most rapidly.

12. (original) The method of claim 10 further comprising establishing a non-preferred food, foodstuff, or veterinary biologic of said animal as said food, food stuff or veterinary biologic associated with a stimulus least frequently chosen or chosen more slowly or chosen following a stimulus associated with said preferred food, food stuff or veterinary biologic or an association learned less rapidly.

13-26. (canceled)

27. (new) A method of determining the palatability of a food, food stuff or veterinary

biologic to at least one animal comprising:

administering a discrimination learning procedure based on a forced choice paradigm to an animal selected from said at least one animal, wherein said discrimination learning procedure comprises:

determining preference of said food, food stuff or veterinary biologic associated with a non-preferred stimulus compared with at least one reward associated with a preferred stimulus or other non-preferred stimuli.

28. (new) A method of determining the palatability of a food, food stuff or veterinary

biologic to at least one animal comprising:

administering a discrimination learning procedure to an animal selected from said at least one animal wherein said discrimination learning procedure comprises:

determining preference of said food, food stuff or veterinary biologic associated with a non-preferred stimulus compared with at least one reward associated with a preferred stimulus or other non-preferred stimuli; and,

utilizing at least one discrimination training comprising:

(a) presenting said animal with said preferred stimulus and a plurality of said non-preferred stimuli;

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(b) permitting said animal to choose at least one stimulus selected from said preferred stimulus and said plurality of non-preferred stimuli wherein choice of any one of said non-preferred stimuli results in a reward of said food, food stuff or veterinary biologic associated with a corresponding said any one of said non-preferred stimulus and choice of a preferred stimulus results in no reward;

(c) recording said at least one stimulus chosen by said animal; and,

(d) repeating steps (a) through (c) to obtain discrimination conditioning of said animal.

29. (new) The method of claim 28 further comprising establishing a preferred food, foodstuff, or veterinary biologic of said animal as said food, foodstuff, or veterinary biologic associated with a stimulus most frequently chosen or chosen most rapidly or chosen first or an association learned most rapidly by said animal.

30. (new) The method of claim 29 further comprising establishing a rank order of preferred food, foodstuff, or veterinary biologic of said animal as an ordered list of decreasing preference of said food, foodstuff, or veterinary biologic associated with a stimulus most frequently chosen or chosen most rapidly or chosen first or an association learned most rapidly by said animal.

31. (new) The method of claim 28 further comprising establishing a non-preferred food, foodstuff, or veterinary biologic of said animal as said food, food stuff or veterinary

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biologic associated with a stimulus least frequently chosen or chosen more slowly or chosen following a stimulus associated with said preferred food, food stuff or veterinary biologic or an association learned less rapidly.

32. (new) The method of claim 28 further comprising establishing a rank order of non-preferred food, foodstuff, or veterinary biologic of said animal as an ordered list of increasing preference of said food, food stuff or veterinary biologic associated with a stimulus least frequently chosen or chosen more slowly or chosen following a stimulus associated with said preferred food, food stuff or veterinary biologic or an association learned less rapidly.

33. (new) The method of claim 28 wherein said discrimination learning procedure further comprises utilizing a stabilization phase wherein steps (a) to (d) of said discrimination training are repeated at least once in one session for at least one consecutive sessions.

34. (new) The method of claim 33 wherein said discrimination learning procedure further comprises utilizing a reversal phase comprising:

(a) presenting said animal with a preferred stimulus and a plurality of non-preferred stimuli;

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(b) permitting said animal to choose a stimulus wherein choice of a non-preferred stimulus previously associated with said preferred food, food stuff or veterinary biologic results in no reward and choice of said preferred stimulus results in a reward of said food, a food stuff, or veterinary biologic not previously associated with said preferred stimulus;

(c) recording a selected stimulus chosen by said animal or a latency to respond or an order of responses; and,

(d) repeating steps (a) through (c) to obtain discrimination conditioning of said animal.

35. (new) The method of claim 34 further comprising establishing a preferred food, foodstuff, or veterinary biologic of said animal as said food, foodstuff, or veterinary biologic associated with a stimulus most frequently chosen by said animal or chosen most rapidly or chosen first or an association learned most rapidly.

36. (new) The method of claim 34 further comprising establishing a non-preferred food, foodstuff, or veterinary biologic of said animal as said food, food stuff or veterinary biologic associated with a stimulus least frequently chosen or chosen more slowly or chosen following a stimulus associated with said preferred food, food stuff or veterinary biologic or an association learned less rapidly.